Appendix A – Technical Memorandum - Ecology

Technical Memorandum

To:	Leigh Robcke	**From:**	Hamish Dean
Company:	Hauraki District Council	**SLR Consulting New Zealand**	
cc:		**Date:**	2 July 2025
		Project No.	850.016607.00001

RE: Response to submissions on Proposed Plan Change 2 to the Hauraki District Plan

1.0 Introduction

1.1 Qualifications and Experience

I hold the qualifications of Bachelor of Science (Ecology and Zoology) from Victoria University of Wellington, and Master of Science in Biological Sciences (Ecology) from the University of Waikato. I have worked in the fields of ecology and natural resource management for 21 years, working in consultancy, not for profit organisations and at Bay of Plenty Regional Council. I am currently a Principal Ecologist at SLR Consulting. I have held this position since June 2021.

I have considerable experience in ecological assessment of terrestrial and wetland ecosystems, significance assessments, ecosystem restoration, catchment management, and fauna survey. I have particular experience in a range of North Island terrestrial and wetland habitat types. Most relevantly, my previous work experience includes:

(a) I have been the lead ecologist for the Ecological Impact Assessments of four large solar farms which are currently in various stages of the consenting process, and part of the team that assessed a further three farms. These projects included assessments of wetlands, flora and fauna as well as ecological values and effects assessment.

(b) I have undertaken numerous wetland assessments since the introduction of the wetland delineation protocols under the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 and National Policy Statement for Freshwater Management 2020 framework, for solar farms, wind farms, residential developments, and for regional council.

(c) I managed the site assessment phase of the Waikato District Significant Natural Area project and was part of a team that assessed more than 1,600 potential sites.

(d) I provided technical oversight, site assessment, undertook quality control, and co-authored the Ecology Technical Report for the Hamilton City Significant Natural Area project. I provided technical evidence at the Hamilton Plan Change 9 hearing as well as additional written evidence relating to the impacts of the National Policy Statement for Indigenous Biodiversity (NPS-IB) on the PC9 process.

(e) I have provided technical evidence in support of Bay of Plenty Regional Council for the Tauranga City Plan Change 33 and the Western Bay of Plenty District Council Plan Change 95.

(f) I have undertaken technical review of the ecological components of a number of consent applications in various regions, including the Waikato.

1.2 Technical assessment area

I was engaged by Hauraki District Council (Hauraki DC) to identify and delineate any Natural Inland Wetlands on the proposed Bradford Street and Ford Road structure plan areas and to identify whether long-tailed bats are using the area.

1.3 Code of Conduct Statement

I have read and am familiar with the Environment Court's Code of Conduct for Expert Witnesses, contained in the Environment Court Practice Note 2023, and agree to comply with it. My qualifications as an expert are set out above. Other than where I state that I am relying on the advice of another person, I confirm that the issues addressed in this memorandum are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

2.0 Proposed Plan Change 2

My involvement with PPC2 to date has been to undertake an assessment of wetlands on both sites to delineate Natural Inland Wetlands and to assess whether long-tailed bats (*Chalinolobus tuberculatus*) are present in the area. I produced a memorandum entitled *Delineation of wetlands at Bradford Street and Ford Road, Waihi* dated 29 August 2024.

I understand that I was engaged to undertake these assessments because of initial feedback from Waikato Regional Council who specifically requested that wetlands and bats should be considered by Hauraki DC.

3.0 Submissions Received

In total, 27 submissions were received on the proposed plan change and two (WRC, Ford Road Body Corporate) specifically relate to ecological matters. I have read each submission and my response to each point is detailed below.

3.1 Submission 11: Waikato Regional Council

3.1.1 Point 11.1 RPS Ecology provisions

WRC submit that there should be an assessment against the Regional Policy Statement (RPS) provisions relating to ecology. The ECO provisions in the RPS include policies, objectives and methods that deal with adverse effects on biodiversity, effects management, incentives, and significance assessment. It seems appropriate that an assessment against these matters is undertaken, and I leave it to a planner to undertake the full assessment. However, I will comment briefly on these matters.

WRC raised this point with reference to long-tailed bats which were detected at the Bradford Street site and have since been detected near Ford Road as part of a different project. In both cases there were only one or two detections, and I understand that surveys in other parts of Waihi have yielded no bat detections despite considerable effort, so it is probable that bat numbers in the immediate area are low. However, bats could still utilise this area as the survey events did not cover all the seasonal periods where bats are most active. Bats utilise a range of habitat, including farmland and peri-urban landscapes for foraging and roosting and at Bradford Street they are likely to be foraging along the Ohinemuri River which provides a corridor of habitat and likely a good source of food. Neither the Bradford

Street or Ford Road structure plan areas would trigger any of the RPS criteria for assessing significant indigenous biodiversity (APP 5 of the RPS). Based on our survey, and review of previous bat surveys undertaken around Waihi, there is no evidence that bats are regularly utilising potential habitat in the proposed plan change areas. The Ohinemuri River riparian area where it passes adjacent to the Bradford Street site, is however, a possible area which bats are regularly using for foraging and as a commuting corridor. Provided that the Ohinemuri River riparian area is protected from activities associated with development, there will only be a small change to the foraging habitat for long-tailed bats. Considered in the context of the surrounding rural environment, this small change will result in (at worst) a very small adverse effect, provided suitable avoidance, remediation and mitigation measures are instigated during the consenting phases.

Indigenous biodiversity is provided for in the proposed PC2 provisions for the Bradford Street residential area by requiring that mature trees are incorporated into the design of the subdivisions and that appropriate setbacks from the Ohinemuri River reserve area are established. This will allow the river corridor to remain unchanged and any mature trees within the structure plan area will remain available to bats and other fauna. I believe these provisions adequately minimise any very minor adverse effects on long-tailed bats and other fauna.

3.1.2 Point 11.4: Assessment of adverse effects

WRC submit that an assessment of the adverse effects of the proposed Plan Change should be conducted. Whether HDC is required to undertake such an assessment I will leave to the planner, although I note that Section 76(3) of the RMA requires that territorial authorities must have regard to adverse effects on the environment when making rules. Undertaking an assessment of effects at this stage in the process may better account for cumulative effects than relying on effects assessments conducted for individual resource consent applications, but potential effects have been well covered through the structure plan provisions and activity standards which provide protections for bats and wetlands. These provisions make a dedicated effects assessment at the structure plan level somewhat redundant.

3.1.3 New objectives, policies and standards to manage effects on biodiversity at Ford Road (Points 11.5 – 11.7)

WRC request that a new objective is added to the Ford Road Structure Plan that adverse effects on indigenous biodiversity are managed, a new policy is added to provide for positive indigenous biodiversity outcomes, and a standard is added to ensure that indigenous biodiversity, namely bats, are protected. This would make the proposed provisions for the Ford Road structure plan area compliant with the ECO provisions in the RPS and I agree that these changes should be made. However, changes should be commensurate with the level of effect. There is a very low prevalence of bats in the Waihi area, and they are highly unlikely to be habitat-limited, so requiring mature trees to be incorporated into the design of such a small industrial area should be done with care and certainly doesn't need to result in all mature trees being retained. Protections for bats could be limited to sensitive lighting design, requirements to follow tree felling protocols, and incorporation of some mature trees in consultation with a bat ecologist.

3.1.4 Point 11.8, 11.9: Changes to Policy 5 for Bradford Street

WRC request that policy 5 is amended to better manage adverse effects on indigenous biodiversity including a revision of the wording of 5(a) and the addition of 5(c) to incorporate bat-friendly lighting design. I generally agree with these amendments and the proposed addition of standards but any requirement to include mature trees in the design should be on the proviso that trees are retained on the advice of a bat ecologist or for amenity purposes.

There are likely to be trees on site that have no value for bats and minimal value for other indigenous fauna and there is no need to unreasonably constrain the design of future development.

The risk of significant adverse effects on bats is considered to be low, given the low bat activity during the surveys within the Plan Change Area. Even so, the high national threat status of this species and the suitability of commuting and roosting habitat (even low value) means that maintaining the buffer along the Ohinemuri River recreation reserve is important to reduce the impact of the proposed development. In addition, it is recommended that habitat inspection and potential bat roost survey protocols are required if tree felling is sought during future development activities, residual effects management and compensation modelling is to be undertaken for each specific future development resource consent application, and artificial lighting restrictions are put in place along the edge of the buffer with the Ohinemuri River riparian area.

3.2 Submission 20: Ford Road Body Corporation

Amongst other concerns, the Ford Road Body Corp raises concerns the potential for sediment to enter the Waimata Stream which is within 200m of the Ford Road structure plan area. A channelised tributary of this stream also runs through the site. It is not clear whether the concern is relating to construction-phase effects or ongoing operational effects or both. Construction phase effects are generally dealt with at the resource consent stage through the requirement to have an erosion and sediment control plan consistent with WRC guidelines. The potential operational phase effects have been dealt with in the proposed subdivision stormwater standards (8.6.16.7(1)(e)), and activity standards (8.6.16.17(1)) which require comprehensive stormwater design, including reticulation for the whole structure plan area, hydraulic neutrality and treatment of stormwater. These controls are robust enough to ensure that there will be no adverse effect on the Waimata Stream.

4.0 Other comments

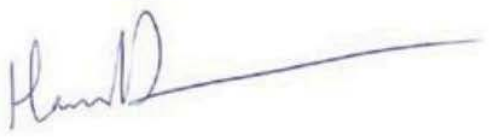
There does not seem to be any specific provisions to protect and enhance the waterways which run through both the Ford Road and Bradford Street sites. All these waterways have been heavily modified through straightening or piping, but they are natural watercourses, and the provisions of the NPS-FM and NES-F likely apply. Additional policies and standards could be added to ensure that the ecological values of these waterways are protected and enhanced through the development process.

5.0 Closure

I trust that the information provided in this memo meets your requirements.

Regards,

SLR Consulting New Zealand



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